



PATENT
2360-0344P

IN THE U.S. PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Andreas Peiker Conf.: 3315 JUL 19 2004
Appl. No.: 09/884,963 Group: 2642 Technology Center 2000
Filed: June 21, 2001 Examiner: Jack CHIANG
For: TELEPHONE ASSEMBLY WITH HANDSET HAVING A
TRANSMITTING AND/OR RECEIVING COMPONENT

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 15, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

- b. ☐ This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.
- c. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☐ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

- b. ☒ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

Foreign references have English abstracts and/or English summaries attached.

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☒ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or
- b. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- d. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

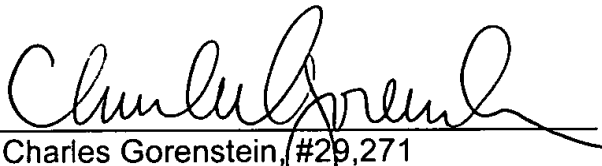
- ☒ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☐ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


By 
Charles Gorenstein, #29,271

CG/DSS/jeb
2360-0344P

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Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☒ Fee
☐ Other:

(Rev. 05/14/2004)

Form PTO-1449				ATTY. DOCKET NO. 2360-0344P		APPLICATION NO. 09/884,963			
<div style="text-align: center;">  <p>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</p> <p>() several sheets if necessary</p> </div>				APPLICANT PEIKER, Andreas					
				FILING DATE June 21, 2001		GROUP 2642			
U.S. PATENT DOCUMENTS									
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	US 4,821,309		4/11/1989	Namekawa					
	US 5,063,611		11/5/1991	Kitabayashi					
	US 5,131,036		7/14/1992	Dunchock					
	US 5,230,016		7/20/1993	Yasuda					
	US 5,239,300		8/24/1993	Berger et al.					
	US 5,276,728		1/4/1994	Pagliaroli et al.					
	US 5,301,224		4/5/1994	Major					
	US 5,333,176		7/26/1994	Burke et al.					
	US 5,371,783		12/6/1994	Rose et al.					
	US 5,404,580		4/4/1995	Simpson et al.					
	US 5,535,274		7/9/1996	Braitberg et al.					
	US 5,561,712		10/1/1996	Nishihara					
	US 5,566,226		10/15/1996	Mizoguchi et al.					
FOREIGN PATENT DOCUMENTS									
	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	CH	665174	A5	4/29/1988	Switzerland			Abs	
	DE	19652826	A1	6/25/1998	Germany			Abs	
	DE	19850044	C1	3/9/2000	Germany			Abs	
	DE	3621990	A1	1/29/1987	Germany			Abs	
	DE	3727917	A1	3/2/1989	Germany			Abs	
	DE	4107995	C2	9/17/1992	Germany			Abs	
	DE	4107996	A1	3/13/1991	Germany			Abs	
	DE	4244625	A1	6/30/1994	Germany				
	DE	G9311242.4	U1	10/28/1993	Germany				X
	DE	G9311294.7	U1	2/24/1994	Germany				X
	DE	G9409336.9	U1	9/15/1994	Germany				X
OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)									
EXAMINER					DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									

Form PTO-1449

ATTY. DOCKET NO.
2360-0344PAPPLICATION NO.
09/884,963INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

APPLICANT
PEIKER, AndreasFILING DATE
June 21, 2001GROUP
2642

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 5,664,015		9/2/1997	Ford et al.			
	US 5,797,088		8/18/1998	Stamegna			
	US 5,896,564		4/20/1999	Akama et al.			
	US 5,898,775		4/27/1999	Niemo et al.			
	US 5,956,399		9/21/1999	Whitley et al.			
	US 5,995,622		11/30/1999	Roussy et al.			
	US 6,043,626		3/28/2000	Snyder et al.			
	US 6,208,734	B1	3/27/2001	Ortscheid et al.			
	US 6,263,080	B1	7/17/2001	Klammer et al.			
	US 362,004		4/26/1887	Harrison			

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	EP	0354367	A3	2/14/1990	Europe				
	EP	0464011	A1	1/2/1992	Europe				
	EP	0545670	A2	6/9/1993	Europe				
	EP	0585011	A1	3/2/1994	Europe				
	EP	0593055	A1	4/20/1994	Europe			Abs	
	EP	0751043	A1	1/2/1997	Europe				
	EP	0833762	B1	4/8/1998	Europe			Abs	
	UK	2270405	A	3/9/1994	Great Britain				
	JP	05-294190	A	11/9/1993	Japan			Abs	
	JP	07-135521	A	5/23/1995	Japan			Abs	
	PCT	WO 94/28684		12/8/1994	WIPO				
	PCT	WO 94/22237	A1	9/29/1994	WIPO				
	JP	03-101056	U	10/22/1991	Japan			Summary	
	JP	05-176030	A	7/13/1993	Japan			Summary	
	JP	06-318884	A	11/15/1994	Japan			Summary	
	JP	05-211548	A	8/20/1993	Japan			Summary	
	JP	07-30626	A	1/31/1995	Japan			Summary	

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.